APPENDIX A

2.   (Three Times Amended)   An apparatus for transmitting spread spectrum data, comprising:

a modulation means for receiving data and for modulating the received data in accordance with a spread spectrum modulation format;

a scrambling means for scrambling <u>a subset of bits in</u> the modulated data; and

an upconversion means for receiving the [scrambled] modulated data and for upconverting the [scrambled] modulated data for transmission at a <u>random</u> frequency determined in accordance with a selection signal, wherein the selection signal is determined in accordance with [a] <u>the scrambled</u> subset of bits [from the received data].

5.   (Three Times Amended)   An apparatus for transmitting spread spectrum data, comprising:

a modulation means for receiving data and for modulating the received data in accordance with a code channel selection signal;

a scrambling means for scrambling <u>a subset of bits of</u> the modulated data; and

an upconversion means for receiving the [scrambled] modulated data and for upconverting the [scrambled] modulated data for transmission at a frequency determined in accordance with a selection signal, wherein the code channel selection signal is determined in accordance with [a] <u>the scrambled</u> subset of bits [of the received data].

8.   (cancel)

9.   (cancel)

12.   (Twice Amended)   An apparatus for transmitting spread spectrum data, comprising:

<u>a scrambling means for scrambling a first subset of bits and a second subset of bits from received data;</u>

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a modulation means for [receiving data and for] modulating the received data in accordance with a code channel selection signal that is determined in accordance with [a] the scrambled first subset of bits [of the received data];

[a scrambling means for scrambling the modulated data;] and

an upconversion means for receiving the [scrambled] modulated data and for upconverting the [scrambled] modulated data for transmission at a frequency determined in accordance with a selection signal that is determined in accordance with [a] the scrambled second subset of bits [from the received data].

13.   (Twice Amended)   A method for transmitting data, comprising:
modulating the data;

scrambling a subset of bits of the modulated data;

selecting a carrier frequency in accordance with the [a] modulated, scrambled subset of bits [from the data]; and

upconverting the [scrambled] modulated data using the selected carrier frequency.

14.   (Twice Amended)   A method of transmitting data, comprising:
scrambling a subset of bits of the data;

modulating the data in accordance with a code channel selection signal that is determined in accordance with [a] the scrambled subset of bits [of the data];

•   [scrambling the modulated data;] and

upconverting the [scrambled] modulated data using a selected carrier frequency.

15.   (Twice Amended)   A computer readable medium embodying a method for transmitting data, the method comprising:
modulating the data;

scrambling a subset of bits of the modulated data;

selecting a carrier frequency in accordance with the [a] modulated, scrambled subset of bits [from the data]; and

upconverting the [scrambled] modulated data using the selected carrier frequency.

16. (Twice Amended) A computer readable medium embodying a method for transmitting data, the method comprising:

scrambling a subset of bits of the data;

determining a code channel selection signal in accordance with the scrambled subset of bits;

modulating the data in accordance with [a] the determined code channel selection signal [that is determined in accordance with a subset of bits of the data;]; and

upconverting the [scrambled] modulated data using a selected carrier frequency.

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